

**FILED**

**AUG 11 2014**

**~~N.J. BOARD OF NURSING~~**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
JODI B. ALLEN, RN	:	
License No. 26NR11437700	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jodi B. Allen ("Respondent") is licensed as a registered professional nurse in the State of New Jersey and has been a licensee at all relevant times.

2. On or around May 10, 2012, Respondent completed an online biennial license renewal application which asked "Will you have completed the required continuing education credits by May 31, 2012," referring to the thirty hours of continuing education required during the June 1, 2010 - May 31, 2012

biennial period. Respondent answered "yes" and certified that answer to be true by submitting the online application.

3. On or around August 29, 2013, the Board sent Respondent a demand for a written statement under oath requesting certain information from Respondent including certificates of completion of all credits earned during the renewal period of June 1, 2010 - May 31, 2012.

4. Respondent's attorney, Vincent M. Ansetti, Esq., replied on Respondent's behalf but failed to include any certificates of completion of continuing education. Instead he included Respondent's PALS, Healthcare and ACLS provider cards without certificates containing language stating that the classes were approved or accredited as continuing education for nurses and the number of hours or credits awarded for completion.

#### CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall

submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the 30 hours of continuing education required for the June 1, 2010 - May 31, 2012 biennial renewal period. Respondent's failure to complete 30 hours of continuing education during the June 1, 2010 - May 31, 2012 biennial period constitutes a violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Further, the Board finds that Respondent's submission of her 2012 renewal, wherein she answered affirmatively that she had completed, or would complete, the required continuing education, when she did not complete the required continuing education, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

According to N.J.A.C. 13:37-5.3, continuing education certificates must include the number of hours attended, and must include language indicating that the course was approved/accredited as continuing education for nurses. The

proofs provided by Respondent do not include this information. Therefore, Respondent has failed to demonstrate, to the satisfaction of the Board, that Respondent completed the full 30 hours of continuing education required for the aforementioned biennial renewal period.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice nursing in the State of New Jersey was entered on February 24, 2014 and a copy served on respondent's attorney via certified and regular mail. The Provisional Order was subject to finalization by the Board at 5 p.m. on the 30th business day following entry unless respondent requested modification or dismissal setting forth in writing any and all reasons why said finding and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Neither the certified nor regular mail was returned and the Board did not receive a response. Accordingly, the Board determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 11<sup>th</sup> day of Aug., 2014,  
ORDERED that:

1. Respondent's license to practice as a registered professional nurse is hereby suspended until such time as Respondent provides proof of completion of 30 hours of continuing education to be applied to the June 1, 2010 - May 31, 2012 biennial period. Continuing education completed after May 31, 2012 and applied to cure the deficiency of a previous biennial period shall not be used to satisfy the requirements of the current biennial period.

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed upon Respondent for failing to timely complete her continuing education requirements. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent is hereby reprimanded for her violation of N.J.S.A. 45:1-21(b).

4. Respondent shall refrain from practicing as a registered professional nurse in the State of New Jersey and shall not represent herself as a registered professional nurse in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy, PhD, APN  
Patricia Murphy, PhD, APN  
Board President